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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,012	02/25/2004	Kazuyuki Masumoto	00862.022793	9716

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/785,012

**Applicant(s)**

MASUMOTO ET AL.

**Examiner**

Gabriel I. Garcia

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1,7-9,15 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-6,10-14,17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3/15/04,5/14/04,6/17/04,1/27/06,3/29/06,9/29/06,11/27/06,1/3//07&6/21/07.

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### **Part III DETAILED ACTION**

1. Applicant's election with traverse of species III in the reply filed on 6/1/07 is acknowledged. The traversal is on the ground(s) that there is a significant degree of common subject matter in species; and Applicant submits that, because of this common subject matter, it will not be a serious burden on the Examiner to search and examine all of the claims. This is not found persuasive because Examiner agrees with Applicant's conclusion that both groups have common subject matter, however, the search of both species will require the search of different areas. (e.g. the search of first and second interfaces of claim 7, is different from the search of claims 2-6).

The requirement is still deemed proper and is therefore made FINAL.

2. Applications numbers 10/247,282 and 10/265,791 have been considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 2-6, 10-14 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Narushima (6,563,596).

With regard 2, Narushima teaches a printing apparatus (21) for printing an image on the basis of image data from a plurality of image data sources (13), comprising: printing means (3) for printing an image on a print medium on the basis of print data; command determination means (6) for interpreting a control command from a first image data source out of the plurality of image data sources and determining a content designated by the control command (e.g. col. 2, lines 13-47); image processing means (5) for processing image data from an image data source other than the first image data source on the basis of a determination result by said command determination means (e.g. fig. 36, col. 9, lines 58-67, clearly once data is being received from a source different that the source being working the data is only received from the current source); and print control means (24) for generating print data on the basis of the image data processed by said image processing means, outputting the print data to said printing means, and printing the print data (see fig. 5).

With regard to claim 3, Narushima further teaches the control command contains designation information for designating the image data source capable of supplying the image data to the printing apparatus out of the plurality of image data sources (e.g. abstract and col. 9, lines 58-67).

With regard to claim 4, Narushima further teaches comprising inhibition means for inhibiting reception of the image data from an image data source other than the image data source designated by the designation information (e.g. col. 5, lines 42-55).

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With regard to claim 5, Narushima further teaches wherein the control command contains a command for designating switching of interfaces for connecting the plurality of image data sources (reads on fig. 5, which depicts the different interfaces interacting with the printing device).

With regard to claim 6, Narushima further teaches wherein the plurality of image data sources include at least a digital image sensing apparatus for outputting a sensed image signal by a digital signal, a memory card for storing image data, and a computer device (see fig. 5).

With regard to claims 10-14, 17 and 18, the limitation of claims 10-14, 17 and 18 are covered by the limitations of claims 1-6 above. Narushima teaches a memory 20 that can be used to program the steps and/or functions of claims above.

#### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Narushima et al. (7,202,975) teaches a printer having image correcting capability.

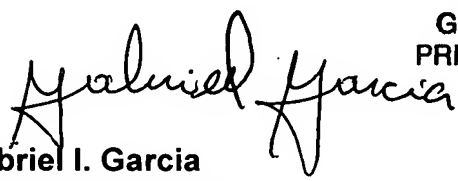
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00

PM. The fax phone number for this group is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

  
**GABRIEL GARCIA**  
**PRIMARY EXAMINER**  
**Gabriel I. Garcia**  
**Primary Examiner**  
**August 5, 2007**